

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN JOSE

FILED

MAR -4 P 3:36
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

CR10 0161

SEALED
BY COURT ORDER

GARY LINN PACKER,

EXE
JW

DEFENDANT(S).

HRL

INDICTMENT

26 U.S.C. § 7201 - Tax Evasion (2 counts)

A true bill.

Sydney Benjamin
Foreman

Filed in open court this 4 day of **BETTY P. LEE**

March, 2010

No Bail Warrant
Clerk **EDWARD M. CHEN**
UNITED STATES MAGISTRATE JUDGE

Bail, \$ _____

DOCUMENTS	CSA's INITIALS
1	e
DISTRICT COURT CRIMINAL CASE PROCESSING	

JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

FILED
2010 MAR -4 P 3:36
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNDERSEAL

EXE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY LINN PACKER,

Defendant.

CR10

0161

VIOLATION: 26 U.S.C. § 7201 - Tax
Evasion (2 Counts)

SAN JOSE VENUE

HRL

INDICTMENT

The grand jury charges:

COUNT ONE: (26 U.S.C. § 7201)

That on or about the 16th day of April 2001, and continuing through on or about October 2, 2006, in the Northern District of California, the defendant,

GARY LINN PACKER,

then a resident of Morgan Hill, California, did willfully attempt to evade and defeat the payment of income tax due and owing by him to the United States of America for the calendar year 2000, in the amount of \$1,795,740.00, by concealing and attempting to conceal from the Internal Revenue Service the nature and extent of his income and assets and the location thereof and his interest in assets and income through the use of nominees and false Taxpayer Identification Numbers.

In violation of Title 26, United States Code, Section 7201.

1 COUNT TWO: (26 U.S.C. § 7201)

2 That on or about the 15th day of April 2002, and continuing through on or about October 2,
 3 2006, in the Northern District of California, the defendant,
 4 GARY LINN PACKER,
 5 then a resident of Morgan Hill, California, did willfully attempt to evade and defeat the payment of the
 6 income tax due and owing by him to the United States of America for the calendar year 2001, in the
 7 amount of \$12,339, by concealing and attempting to conceal from the Internal Revenue Service the
 8 nature and extent of his income and assets and the location thereof and his interest in assets and income
 9 through the use of nominees and false Taxpayer Identification Numbers.

10 In violation of Title 26, United States Code, Section 7201.

11 A True Bill

12 Dated: March 4, 2010

Sherida Benjamin
 13 FOREPERSON

14 JOSEPH P. RUSSONIELLO
 15 United States Attorney

16 Brian Stretch
 17 Chief, Criminal Section

18 Approved as to Form

19 Thomas Moore
 20 THOMAS MOORE
 21 Chief, Tax Division
 22 Assistant United States Attorney

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURTBY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING**OFFENSE CHARGED**26 U.S.C. § 7201- Tax Evasion
(2 counts)☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony**PENALTY:****UNDERSEAL**26 U.S.C. § 7201- 5 yrs prison; \$250,000 fine; 3 years
Supervised Release; \$100 assessment**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

INTERNAL REVENUE SERVICE

☐ person is awaiting trial in another Federal or State
Court, give name of court☐ this person/proceeding is transferred from another
district per (circle one) FRCrP 20, 21 or 40. Show
District☐ this is a reprosecution of
charges previously dismissed
which were dismissed on
motion of:☐ U.S. Att'y ☐ DefenseSHOW
DOCKET NO.☐ this prosecution relates to a
pending case involving this same
defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s)
before U.S. Magistrate regarding
this defendant were recorded underName and Office of Person
Furnishing Information on JOSEPH P. RUSSONIELLO
THIS FORM☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y
(if assigned) THOMAS MOORE, AUSA, TAX DIV.Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

DEFENDANT - U.S.

GARY LINN PACKER

DISTRICT COURT NUMBER

CR10**0161****DEFENDANT****IS NOT IN CUSTODY**1) ☒ Has not been arrested, pending outcome this proceeding.
If not detained give date any prior summons
was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)

NORTHERN DISTRICT OF CALIFORNIA

IS IN CUSTODY4) ☐ On this charge5) ☐ On another conviction6) ☐ Awaiting trial on other
charges☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed? ☐ Yes
☒ NoIf "Yes"
give date
filed**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

**DATE TRANSFERRED
TO U.S. CUSTODY**☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☐ NO PROCESS*☒ WARRANT Bail Amount: \$30,000

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

*Where defendant previously apprehended on complaint, no new summons
or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: